

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

BRITISH TELECOMMUNICATIONS PLC,)	
)	
Plaintiff,)	
)	
v.)	C.A. No. 18-366 (WCB)
)	
IAC/INTERACTIVECORP, MATCH)	
GROUP, INC., MATCH GROUP, LLC and)	
VIMEO, INC.,)	
)	
Defendants.)	

**MATCH GROUP, INC., MATCH GROUP, LLC, AND
IAC/INTERACTIVECORP'S MOTION FOR LEAVE TO FILE MOTION
FOR SUMMARY JUDGMENT OF INVALIDITY AFTER 6:00 P.M. DEADLINE**

Defendants IAC/InteractiveCorp, Match Group, Inc., and Match Group, LLC respectfully seek leave to extend the Court's August 14, 2020 6:00 p.m.filing deadline to permit the filing of Defendants' Motion for Summary Judgment of Invalidity Under 35 U.S.C. § 101, which is being filed contemporaneously with this motion.

The basis for this motion is Defendants' reasonable belief that the parties had reached an agreement to ask the Court to modify the existing deadline for summary judgment and *Daubert* motions specified in the Court's April 24, 2020 Scheduling Order from Friday, August 14, 2020 to Tuesday, August 18, 2020. *See* E-Mail from R. Greeson (Aug. 14, 2020), attached hereto as Exhibit A; D.I. 197. Indeed, the Court had indicated that it was amenable to reasonable changes to the Court's prior scheduling order in light of the additional depositions of Messrs Rothrock and Beattie and a supplemental expert report from BT. *See* D.I. 222, at 9 ("[T]he parties are directed to meet and confer to determine whether any additional changes to the scheduling order are necessary in light of this order, and if the parties jointly, or separately, wish to change the schedule, I will entertain a motion to that effect."). At the request of counsel for plaintiff British

Telecommunications PLC (“BT”), counsel for Defendants informed the Court’s Law Clerk yesterday that “the parties have agreed and will be asking the Court to modify the existing schedule for summary judgment and *Daubert* motions, such that those motions will be due next Tuesday, August 18, with responses due August 31 and replies due September 4.” *See* E-Mail from J. Blumenfeld (Aug. 13, 2020), attached hereto as Exhibit B. BT informed Defendants at 4:30 p.m. ET today, August 14, that BT did not believe such an agreement had been reached. BT then filed its *Daubert* motion at exactly 6:00 p.m. ET and filed its supporting brief and exhibits thereafter.

Based on the facts above, Defendants respectfully request that the Court grant this motion and permit Defendants to file their Motion for Summary Judgment of Invalidity Under 35 U.S.C. § 101 on August 14, 2020 after the Court’s 6:00 p.m. filing deadline.

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August 14, 2020

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CERTIFICATE OF SERVICE

I hereby certify that on August 14, 2020, I caused the foregoing to be electronically filed with the Clerk of the Court using CM/ECF, which will send notification of such filing to all registered participants.

I further certify that I caused copies of the foregoing document to be served on August 14, 2020, upon the following in the manner indicated:

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